

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 1:23-cv-10511-WGY

UNITED STATES OF AMERICA, *et al.*,)
v.)
Plaintiffs,)
JETBLUE AIRWAYS CORPORATION and)
SPIRIT AIRLINES, INC.,)
Defendants.)
)

DECLARATION OF MICHAEL P. MITCHELL IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION IN LIMINE TO EXCLUDE TESTIMONY
FROM MR. RICHARD SCHEFF

I, Michael P. Mitchell, declare pursuant to 28 U.S.C. § 1746, as follows:

1. I am duly licensed and admitted to practice law in the District of Columbia and the State of New York, I am admitted to practice before this Court *pro hac vice*, and I am a partner with the law firm of Shearman & Sterling LLP, counsel for Defendant JetBlue Airways Corporation. I make this declaration of my own personal knowledge and, if called to do so, could testify competently to the facts stated herein under oath. I respectfully submit this declaration in support of Defendants JetBlue Airways Corporation's and Spirit Airlines, Inc.'s Opposition to Plaintiffs' Motion *in Limine* to Exclude Testimony from Mr. Richard Scheff.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts of the Deposition Transcript of Richard Scheff, dated September 6, 2023.

Dated: September 20, 2023

Respectfully submitted,

/s/ Michael P. Mitchell

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system on September 20, 2023, and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Michael P. Mitchell
Michael P. Mitchell